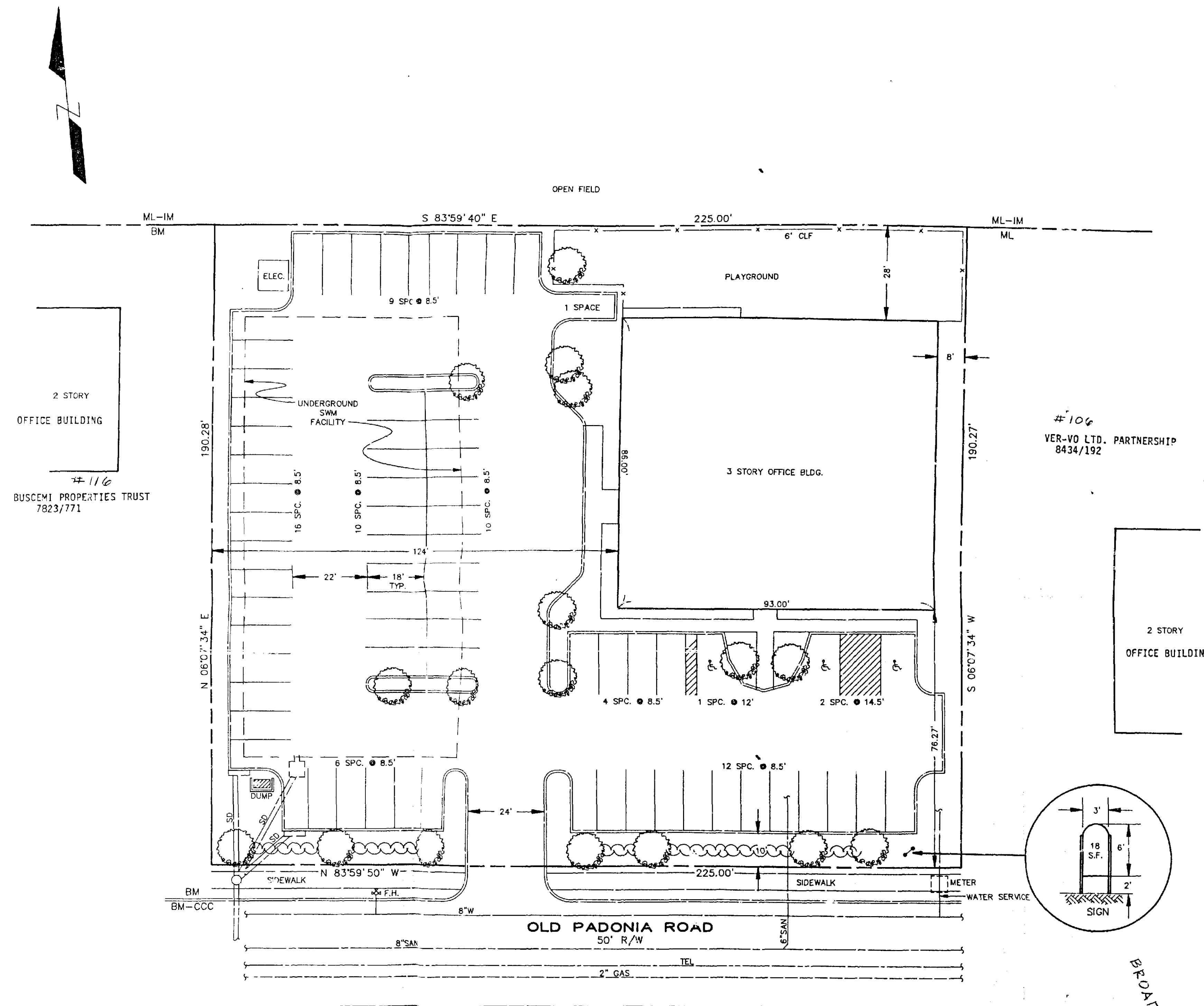


# PLAN TO ACCOMPANY ZONING HEARING

1" = 20'

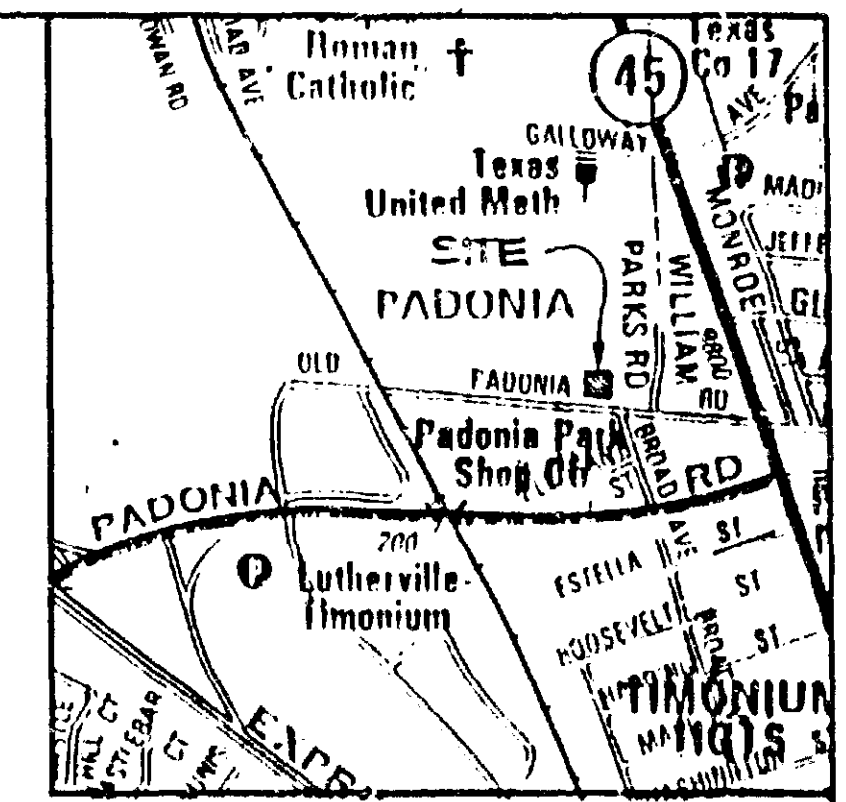


## NOTES:

- DEVELOPMENTS NAME: PADONIA YORK LIMITED PARTNERSHIP  
APPLICANT: 10633 POT SPRING ROAD, COCKEYSVILLE, MD. 21030  
PREPARED BY: CARROLL ENGINEERING, INC., 61 PADONIA ROAD E, SUITE C, TIMONIUM, MD. 21083 (410) 252-6211
- SCALE: 1" = 20'  
DATE: MAY, 1994
- ELECTION DIST.: 8
- COUNCILMANIC DIST.: 3
- CENSUS TRACT: 4084
- WATERSHED AND SUBWATERSHED: 32
- SITE DATA:
  - SITE ACREAGE: 0.98 AC. = 42,811 S.F.
  - COMMON OPEN SPACE: NOT REQUIRED
  - FLOOR AREA RATION: 0.88 AC. X 4.0 = 165,528 SF ALLOWED
  - THE DEPARTMENT OF TRAFFIC ENGINEERING HAS APPROVED THE DIRECT ACCESS PARKING ON THE MAIN VEHICLE TRAVELWAY.
  - ALL PARKING AISLE AND MANEUVERING AREAS ARE PAVED WITH MACADAM IN AND PERMANENTLY STRIPPED IN ACCORDANCE WITH BALTIMORE COUNTY STANDARDS.
- ZONING: BM
- OWNERSHIP OF SUBJECT PROPERTY: PADONIA-YORK LIMITED PARTNERSHIP  
ADDRESS: 10633 POT SPRING ROAD, COCKEYSVILLE, MD.  
DEED REFERENCE: LOT 20 - TAX ACCT. #08-08-08000 LIBER 8304, FOLIO 020  
LOT 21 - TAX ACCT. #08-08-08000 LIBER 8304, FOLIO 048  
LOT 22 - TAX ACCT. #08-08-08000 LIBER 8304, FOLIO 051  
PROPERTY NUMBERS: 108-114 OLD PADONIA ROAD
- ESTIMATED AVERAGE DAILY TRIPS: OFFICE 17.7 TRIPS/1000 S.F. = 17.7/1000 X 23,236 = 411.27 TRIPS
- HANDICAP PARKING SPACES: (BOCA CODE) 3 PARKING SPACES
- PUBLIC SERVICE CRG NO. 9013, PLANNING NO. VII-567
- PREVIOUS ZONING HEARING: VARIANCE CASE NO. 91-98-A

THEFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY THIS 28 DAY OF NOVEMBER, 1990 THAT THE PETITION FOR ZONING VARIANCE TO PERMIT 70 PARKING SPACES IN LIEU OF THE REQUIRED 159, AN AVERAGE FRONT YARD SETBACK OF 77 FEET IN LIEU OF THE MINIMUM REQUIRED 85 FEET AND A HEIGHT OF 48 FEET IN LIEU OF THE PERMITTED 40 FEET FOR A 3 STORY OFFICE BUILDING, IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED, SUBJECT, HOWEVER, TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

- THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS BEEN EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE PETITIONERS WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
- NO MEDICAL OFFICES SHALL BE PERMITTED, INCLUDING, BUT NOT LIMITED TO, DENTAL, CHIROPRACTIC, PHYSICAL THERAPY, ETC.
- THE FIRST FLOOR OF THE SUBJECT BUILDING SHALL BE LIMITED TO USE AS A DAY CARE CENTER WITH ALTERNATE USE AS A RENTAL AND CATERING SHALL ESTABLISHMENT ON WEEKDAY EVENINGS, SATURDAYS, SUNDAYS AND POSSIBLY HOLIDAYS. SUCH ALTERNATE USE OF THE FIRST FLOOR SHALL NOT PERMITTED ON MORE THAN FOUR (4) DAYS OF ANY CALENDAR WEEK AND SHALL NOT COMMENCE BEFORE 6:30 PM MONDAY THROUGH FRIDAY, EXCEPT HOLIDAYS. PETITIONER SHALL KEEP RECORDS OF SUCH ALTERNATE USE AND PERMIT ACCESS OF SAME BY ZONING OFFICE PERSONNEL UPON REQUEST TO INQUIRE COMPLIANCE WITH THIS ORDER.
- USE OF THE FIRST FLOOR AS A RENTAL OR CATERING ESTABLISHMENT SHALL BE LIMITED TO 175 PERSONS, OR AS SET FORTH PURSUANT TO THE BALTIMORE COUNTY FIRE DEPARTMENT RESTRICTIONS, WHICHEVER IS LESS.
- THE FIRST FLOOR OF THE SUBJECT BUILDING SHALL NOT BE USED AS A RESTAURANT.
- PRIOR TO THE ISSUANCE OF ANY PERMITS, AND/OR WITHIN NINETY (90) DAYS OF THE DATE OF THIS ORDER, WHICHEVER OCCURS FIRST PETITIONER SHALL SUBMIT A LANDSCAPING PLAN FOR APPROVAL BY THE DIRECTOR AND/OR DEPUTY DIRECTOR OF PLANNING. A COPY OF THE APPROVED PLAN SHALL BE SUBMITTED TO THE ZONING COMMISSIONERS OFFICE FOR INCLUSION IN THE CASE FILE PRIOR TO THE ISSUANCE OF ANY PERMITS.



- IN THE EVENT THE PETITIONER AND/OR ANY FUTURE PROPERTY OWNER EVER PROPOSES TO CHANGE THE USE OF THE FIRST FLOOR, AS SET FORTH HEREIN, A PUBLIC HEARING SHALL BE HELD TO DETERMINE THE APPROPRIATENESS OF SUCH CHANGE.
- COMPLIANCE WITH ALL ZONING PLANS ADVISORY COMMITTEE COMMENTS SUBMITTED AND MADE A PART OF THE RECORD, INCLUDING, BUT NOT LIMITED TO, THE DEPARTMENT OF PERMITS AND LICENSES COMMENTS DATED SEPTEMBER 11, 1990, AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT, BUREAU OF WATER QUALITY COMMENTS DATED AUGUST 22, 1990.
- UPON REQUEST AND REASONABLE NOTICE, PETITIONERS SHALL PERMIT A REPRESENTATIVE OF THE ZONING ENFORCEMENT DIVISION TO MAKE AN INSPECTION OF THE SUBJECT PROPERTY TO ENSURE COMPLIANCE WITH THIS ORDER.
- ANY RESTRICTIONS CONTAINED HEREIN MAY BE MODIFIED AS A RESULT OF A PUBLIC HEARING.
- WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

## 13. PARKING: PROVIDED 72 SPACES - 2 HC = 70 SPACES PROVIDED

FLOOR	USE	SF	PRG. REQ'D
BASEMT	KITCHEN	800	20/1000 = 16
1	OFFICE	1000	3.3/1000 = 15
2	DAYCARE	3500	1/TEACHER = 10
3	OFFICE	7998	3.3/1000 = 27

## B. PARKING SPACE REQUIREMENTS PURSUANT TO 90-10-100-4

	WEEKDAY	WEEKEND	WEEKEND	WEEKEND
	DAYTIME 8am-6pm	EVENING 6pm-12am	DAYTIME 8am-6pm	EVENING 6pm-12am
OFFICE	57(100%)	6(10%)	6(10%)	6(10%)
DAYCARE	14	0	0	0
RESTAURANT	43(50%)	18(100%)	18(100%)	18(100%)
TOTAL	114	24	24	24
VARIANCE GRANTED	(44)	(22)	(22)	(19)

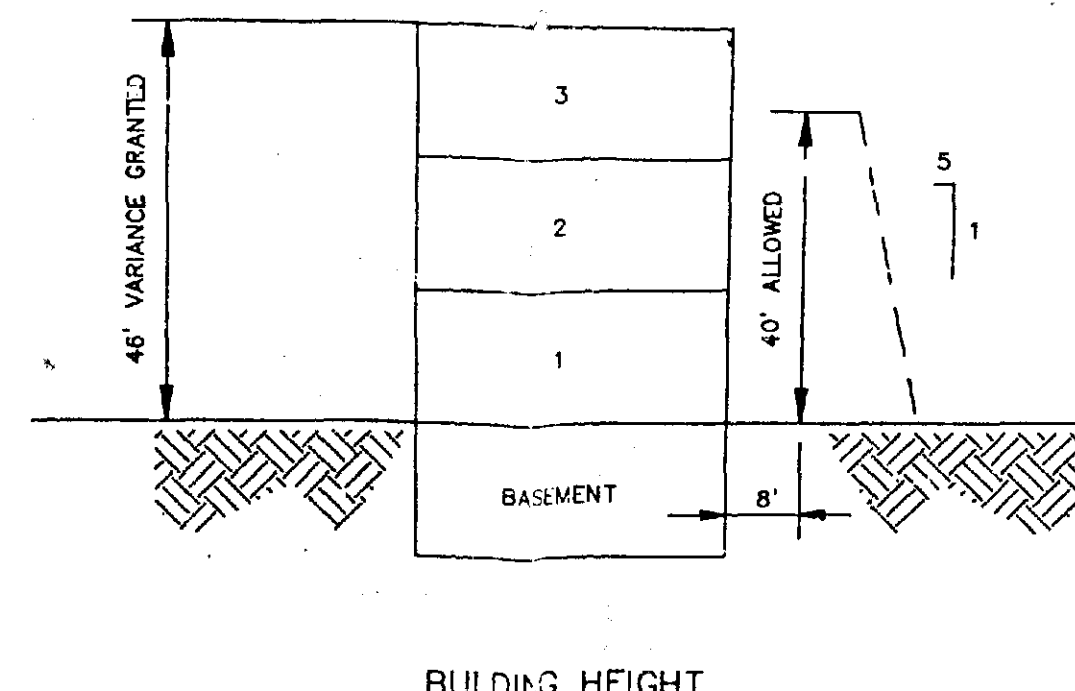
\* BANQUET 3,500 SF @ 20 PS/1000 SF = 70  
KITCHEN 800 SF @ 20 PS/1000 SF = 16  
4,300

\* BANQUET AND KITCHEN ONLY TO BE USED ON FRIDAY EVENINGS, SATURDAY, SUNDAY AND HOLIDAYS.

94-463-SPH

PROPERTY BOUNDARY INFO OBTAINED FROM SITE PLAN DATED DEC. 1, 1990.

CARROLL ENGINEERING, INC.  
61 PADONIA RD. E. TIMONIUM, MD 21083 (410) 252-6211



BUILDING HEIGHT



INTER-OFFICE CORRESPONDENCE

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL:lw

ZAC.428/PZONE/ZAC1



5-25-94

Re: Baltimore County  
Item No.: +446 (JRA)

**Thank you for the opportunity to review this item.**

Very truly yours,  
*Bob Small*  
DAVID N. RAMSEY, ACTING CHIEF  
~~John Contestabile, Chief~~  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

CERTIFICATE OF SERVICE

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

**PETITIONER(S) SIGN-IN SHEET**

NAME	ADDRESS
Shahla Moshiri	120 Sister Pierre Dr
M.H. ZAMANI	Towson, Md 21204

 Printed with Soybean Ink  
on Recycled Paper

# CARROLL ENGINEERING, INC.

SUITE C • 61 PADONIA ROAD, EAST • TIMONIUM, MARYLAND 21083 • (410) 262-6211

## ZONING DESCRIPTION

Beginning at a point on the North side of Old Padonia Road which is 50 feet wide at the distance of 45 feet West of the centerline of Broad Avenue. Thence the following courses and distances:

N. 83° 59' 50" W. 225.00ft. N. 06° 07' 34" E. 190.28ft. S. 83° 59' 40" E. 225.00ft. and S. 06° 07' 34" W. 190.27ft. to the point of beginning as recorded in Deed Liber 8304, Folio 520; Liber 8304, Folio 548; Liber 8304, Folio 551 containing 0.98 Acres. Also known as 108,110, and 114 Old Padonia Road located in the 8th election district.

Boundary and property information obtained from Dec. 1, 1990 Site Plan.

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 114 Date of Posting: 5/17/94  
Posted for: Special Hearing  
Petitioner: M.H. Zamani and Shabla Mushini  
Location of property: 111 West Chesapeake Avenue, Towson, Maryland 21204  
Location of Signs: 111 West Chesapeake Avenue, Towson, Maryland 21204  
Remarks: Special Hearing to approve an amendment to previous case #91-98-A to allow a medical laboratory.  
Posted by: [Signature] Date of return: 5/17/94  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., June 3, 1994  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 2, 1994.

THE JEFFERSONIAN,

A. Henickson  
LEGAL AD. - TOWSON

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case #94-463-SPHX (Item 446)  
110 Old Padonia Road  
N/S Old Padonia Road, 45 feet W of c/l Broad Avenue  
8th Election District - 3rd Councilmanic  
Legal Owner(s): M.H. Zamani and Shabla Mushini  
Hearing: Monday, June 27, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse

Special Hearing to approve an amendment to previous case #91-98-A to allow a medical laboratory. Special Exception for medical office/laboratory.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County  
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.  
(2) For information concerning the file and/or hearing, please call 887-3351.  
6000 June 2

Baltimore County Government  
Office of Zoning Administration and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-463-SPHX (Item 446)  
110 Old Padonia Road  
N/S Old Padonia Road, 45 feet W of c/l Broad Avenue  
8th Election District - 3rd Councilmanic  
Legal Owner(s): M.H. Zamani and Shabla Mushini  
HEARING: MONDAY, JUNE 27, 1994 at 11: a.m., Rm. 118, Old Courthouse

Special Hearing to approve an amendment to previous case #91-98-A to allow a medical laboratory. Special Exception for medical office/laboratory.

Carl Jahn  
Arnold Jablon  
Director

cc: M. H. Zamani and Shabla Mushini

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

TO: PUBLISHER PUBLISHING COMPANY  
June 2, 1994 Issue - Jeffersonian

Please forward billing to:

M. H. Zamani  
10633 Pot Spring Road  
Cockeysville, Maryland 21030

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

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CASE NUMBER: 94-463-SPHX (Item 446)  
110 Old Padonia Road  
N/S Old Padonia Road, 45 feet W of c/l Broad Avenue  
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Legal Owner(s): M.H. Zamani and Shabla Mushini  
HEARING: MONDAY, JUNE 27, 1994 at 11: a.m., Rm. 118, Old Courthouse

Special Hearing to approve an amendment to previous case #91-98-A to allow a medical laboratory. Special Exception for medical office/laboratory.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3351.

Baltimore County Government  
Office of Zoning Administration and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 17, 1994

Mr. & Mrs. M. H. Zamani  
10633 Pot Spring Road  
Cockeysville, MD 21030

RE: Case No. 94-463-SPHX, Item No. 446  
Petition for Special Hearing and Exception  
Petitioner: M. H. Zamani, et ux

Dear Mr. & Mrs. Zamani:

The above-referenced petition and accompanying plans were accepted for filing on May 17, 1994 and a hearing was scheduled accordingly. Respectively, the Zoning Advisory Committee (ZAC) has reviewed those plans. Enclosed are copies of the comments received to date from the reviewing agency/agencies offering or requesting information on the petition. These comments are not intended to indicate the appropriateness of the zoning action requested, but rather to ensure that all parties; i.e., zoning commissioner, attorney, and/or petitioner, are aware of any issues that may have a bearing on this case. Should we receive any additional informative comments, they will be forwarded to you immediately. (Comments that are not informative are placed in the case file; you will not receive a copy.)

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby those zoning attorneys who regularly file petitions that comply with all aspects of the zoning regulations and petition(s) filing requirements can file their petition(s) with this office without the necessity of a preliminary review by zoning personnel. However, previous staff reviews and violations must be identified at that time.

Item Number: 446  
Planner: JRA  
Date Filed: 5-17-94

## PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- ☐ Descriptions, including accurate beginning point
- ☐ Actual address of property
- ☐ Zoning
- ☐ Acreage
- ☐ Plats (need 12, only 1 submitted)
- ☐ 200 scale zoning map with property outlined
- ☐ Election district
- ☐ Councilmanic district
- ☐ BCR section information and/or wording
- ☐ Hardship/practical difficulty information
- ☒ Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- ☐ Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- ☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- ☐ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Notary Public's section is incomplete and/or incorrect and/or commission has expired
- ☒ OWNER'S PRINTED NAME, ADDRESS & PHONE NO.
- ☒ SPECIAL HEARING FORM

PET-FLAG (TXTSOPH)  
11/17/93

Mr. & Mrs. M. H. Zamani  
June 17, 1994  
Page 2

- Any attorney choosing to file without preliminary review should be fully aware of their responsibility for accuracy and completeness. Any petition(s) filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. There may be insufficient time, however, to correct the petition after the comments are made; and therefore, if the petition(s) was/were filed incorrectly, there is the possibility that another hearing would be required or that the zoning commissioner would deny the petition.

- Attorneys, engineers, and applicants who make appointments to file petitions on a regular basis and who fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time any further appointments are made. Failure to keep those appointments without 72 hours advance notice will result in the forfeiture of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton at 887-3391 or the commenting agency.

Sincerely,  
W. Carl Richards, Jr.  
W. Carl Richards, Jr.  
Zoning Supervisor

MCR:cm  
Enclosures



IN RE: PETITIONS FOR SPECIAL HEARING & BEFORE THE  
SPECIAL EXCEPTION  
N/S Old Padonia Road, 45 ft. W of \* ZONING COMMISSIONER  
c/1 Broad Avenue \* OF BALTIMORE COUNTY  
110 Old Padonia Road  
8th Election District \* Case No. 94-463-SPHX  
3rd Councilmanic District \*  
M.H. Zamani, M.D. & Shahla Moshiri,  
M.D., his wife, Petitioners \*

\*\*\*\*\*  
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception and Petition for Special Hearing for the property located at 110 Old Padonia Road in Timonium. Special Exception relief is requested to permit a medical office/laboratory in a B.M. zone, pursuant to Section 233.4 of the Baltimore County Zoning Regulations (BCZR). Special Hearing relief is requested to approve an amendment to previous zoning case, No. 91-98-A for the subject property to allow a medical laboratory as requested within the Petition for Special Exception. The Petitions are filed by the property owners, M.H. Zamani, M.D., and Shala Moshiri, M.D., his wife.

Appearing at the requisite public hearing held for this case were the aforementioned property owners. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is known as 110 Old Padonia Road and is located not far from the York Road in Timonium. The subject site is approximately .98 acres in area and is zoned B.M. Presently, the site is improved with a three story office building and related parking facilities. Testimony presented was that the third floor of the office building is occupied by a certified public accountant. The first floor is occupied with a day care center. The second floor is vacant.

Dr. Moshiri testified that she is a pathologist and presently operates a small laboratory near St. Joseph's Hospital. She proposes relocating her office to the aforementioned site, hence, the request for the Petitions for Special Exception and Special Hearing. She further testified that she is the sole employee of her practice, but for one part time secretary. As a pathologist, she performs certain laboratory/medical tests. The test includes pap smears, analysis of body fluids, and etc. She further testified that her laboratory operation is highly regulated by the State Department of Health and that she is licensed. The State regularly inspects the facility. Moreover, she has instituted a system of waste product pick up and disposal consistent with State law.

Testimony was also presented that the expected use will not generate any traffic. No patients would be seen at the laboratory as samples would be sent to her from the offices of other physicians for testing. Moreover, the anticipated work hours and days of operation are Monday through Friday, 8:30 A.M. to 5:00 P.M.

It is clear that the B.C.Z.R. permits the use proposed in a B.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioners.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular

location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 291 Md. 1, 432 A2d 1319 (1981).

The proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of August, 1994 that, pursuant to the Petition for Special Exception, approval to permit a medical office/laboratory in a B.M. zone, pursuant to Section 233.4 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a Petition for Special Hearing to approve an amendment to previous zoning case, No. 91-98-A for the subject property to allow a medical laboratory as requested within the Petition for Special Exception, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:mn

-2-

-3-

-4-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204

(410) 887-4386

August 2, 1994

Shahla Moshiri, M.D.  
M.H. Zamani, M.D.  
120 Sister Pierre Drive  
Towson, Maryland 21204

RE: Petitions for Special Hearing and Special Exception  
Case No. 94-463-SPHX  
Property: 110 Old Padonia Road

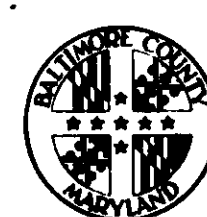
Dear Doctors:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception and Special Hearing have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
*Lawrence E. Schmidt*  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mn  
att.



**Petition for Special Hearing**  
to the Zoning Commissioner of Baltimore County  
for the property located at 110 Old Padonia Road  
which is presently zoned B.M.

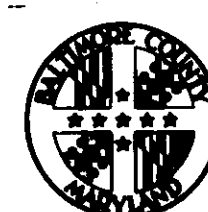
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 502.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve.

An amendment to previous zoning commissioner for Baltimore County dated 29th of November, 1990, Case #91-98-A, 108,110 & 114 Old Padonia Road 8 Election District, 3RD Councilmanic District, Padonia York Building, to Allow Medical Laboratory As Described AND limited in the Attached Application For Special Exception. AND For Reasons To be Addressed At time of Hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:	Legal Owner:
(Type or Print Name) <i>M.H. Zamani</i>	(Type or Print Name) <i>M.H. Zamani</i>
Signature <i>M.H. Zamani</i>	Signature <i>M.H. Zamani</i>
Address <i>10633 Pot Spring Rd.</i>	Address <i>10633 Pot Spring Rd.</i>
City <i>Cockeysville, Md 21030</i>	City <i>Cockeysville, Md 21030</i>
State <i>Md</i>	State <i>Md</i>
Zipcode <i>21030</i>	Zipcode <i>21030</i>
Attorney for Petitioner:	Attorney for Petitioner:
(Type or Print Name)	(Type or Print Name)
Signature	Signature
Address	Address
City	City
State	State
Zipcode	Zipcode

DETERMINED LENGTH OF HEARING  
the following date: 5-17-94 Next Year Month  
ALL DATE 446



**Petition for Special Exception**  
to the Zoning Commissioner of Baltimore County  
for the property located at 110 Old Padonia Rd  
which is presently zoned B.M.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

MEDICAL OFFICE / LABORATORY  
SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:	Legal Owner:
(Type or Print Name) <i>M.H. Zamani</i>	(Type or Print Name) <i>M.H. Zamani</i>
Signature <i>M.H. Zamani</i>	Signature <i>M.H. Zamani</i>
Address <i>10633 Pot Spring Rd.</i>	Address <i>10633 Pot Spring Rd.</i>
City <i>Cockeysville, Md</i>	City <i>Cockeysville, Md</i>
State <i>Md</i>	State <i>Md</i>
Zipcode <i>21030</i>	Zipcode <i>21030</i>
Attorney for Petitioner:	Attorney for Petitioner:
(Type or Print Name)	(Type or Print Name)
Signature	Signature
Address	Address
City	City
State	State
Zipcode	Zipcode

DETERMINED LENGTH OF HEARING  
the following date: 5-17-94 Next Year Month  
ALL DATE 446

Shahla Moshiri, MD  
Cytology & Pathology Lab  
The Professional Center  
120 Sister Pierre Dr., Suite 503  
Towson, MD 21204  
Tel: 339-7767

Diplomate of American Board  
Of Anatomic and Clinical Pathology  
And Cytopathology

94-463-SPHX

May 18, 1994

Zoning Commissioner for Baltimore County  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Dear Mr. Commissioner:

This is to advise that a special exception and various petitions were filed with your office on May 17, 1994 concerning the above captioned matter to amend previous variance granted on the 29th day of November, 1990. Item #2: "No medical office shall be permitted including but not limited to dental, chiropractor, physiotherapy". I am Shahla Moshiri, specialized in pathology, and am not seeing any patients. I wish to use my own property, which is vacant at the present time, for a medical office lab for blood tests and interpretation of pap smears, which is a safe procedure. Since I am not seeing any patients, my practice at this location will not cause any congestion in the road as well as the parking lot. I wish to have a hearing as soon as possible in this matter. I respectfully request that his matter be set for hearing as soon as your schedule would permit.

Thank you very much for your cooperation. Best regards.

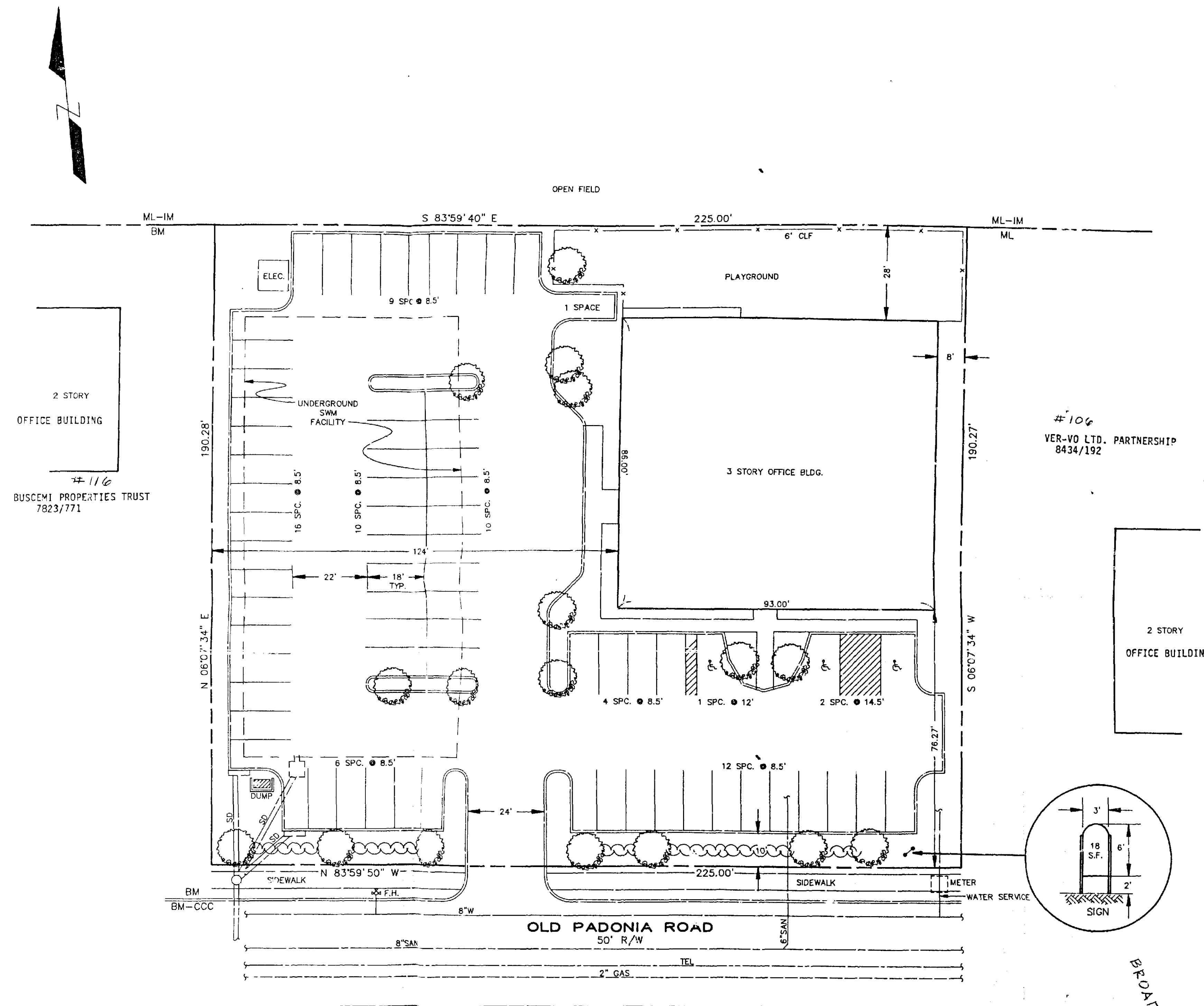
Sincerely,  
*Shahla Moshiri, MD*  
Shahla Moshiri, M.D.

446



# PLAN TO ACCOMPANY ZONING HEARING

1" = 20'



## NOTES:

- DEVELOPMENTS NAME: PADONIA YORK LIMITED PARTNERSHIP  
APPLICANT: 10633 POT SPRING ROAD COCKEYSVILLE, MD. 21030  
PREPARED BY: CARROLL ENGINEERING, INC.  
61 PADONIA ROAD E, SUITE C TIMONIUM, MD. 21083  
(410) 252-6211
- SCALE: 1" = 20'  
DATE: MAY, 1994
- ELECTION DIST.: 8
- COUNCILMANIC DIST.: 3
- CENSUS TRACT: 4084
- WATERSHED AND SUBWATERSHED: 32
- SITE DATA:
  - SITE ACREAGE: 0.98 AC. = 42,811 S.F.
  - COMMON OPEN SPACE: NOT REQUIRED
  - FLOOR AREA RATION: 0.88 AC. X 4.0 = 165,528 SF ALLOWED
  - THE DEPARTMENT OF TRAFFIC ENGINEERING HAS APPROVED THE DIRECT ACCESS PARKING ON THE MAIN VEHICLE TRAVELWAY.
  - ALL PARKING AISLE AND MANEUVERING AREAS ARE PAVED WITH MACADAM IN AND PERMANENTLY STRIPED IN ACCORDANCE WITH BALTIMORE COUNTY STANDARDS.
- ZONING: BM
- OWNERSHIP OF SUBJECT PROPERTY: PADONIA-YORK LIMITED PARTNERSHIP  
ADDRESS: 10633 POT SPRING ROAD, COCKEYSVILLE, MD.  
DEED REFERENCE: LOT 20 - TAX ACCT. #08-08-08000 LIBER 8304, FOLIO 020  
LOT 21 - TAX ACCT. #08-08-08000 LIBER 8304, FOLIO 048  
LOT 22 - TAX ACCT. #08-08-08000 LIBER 8304, FOLIO 051  
PROPERTY NUMBERS: 108-114 OLD PADONIA ROAD
- ESTIMATED AVERAGE DAILY TRIPS: OFFICE 17.7 TRIPS/1000 S.F. = 17.7/1000 X 23,236 = 411.27 TRIPS
- HANDICAP PARKING SPACES: (BOCA CODE) 3 PARKING SPACES
- PUBLIC SERVICE CRG NO. 9013, PLANNING NO. VII-567
- PREVIOUS ZONING HEARING: VARIANCE CASE NO. 91-98-A

THEFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER FOR BALTIMORE COUNTY THIS 28 DAY OF NOVEMBER, 1990 THAT THE PETITION FOR ZONING VARIANCE TO PERMIT 70 PARKING SPACES IN LIEU OF THE REQUIRED 159, AN AVERAGE FRONT YARD SETBACK OF 77 FEET IN LIEU OF THE MINIMUM REQUIRED 85 FEET AND A HEIGHT OF 48 FEET IN LIEU OF THE PERMITTED 40 FEET FOR A 3 STORY OFFICE BUILDING, IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED, SUBJECT, HOWEVER, TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED:

- THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS BEEN EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE PETITIONERS WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION.
- NO MEDICAL OFFICES SHALL BE PERMITTED, INCLUDING, BUT NOT LIMITED TO, DENTAL, CHIROPRACTIC, PHYSICAL THERAPY, ETC.
- THE FIRST FLOOR OF THE SUBJECT BUILDING SHALL BE LIMITED TO USE AS A DAY CARE CENTER WITH ALTERNATE USE AS A RENTAL AND CATERING SHALL ESTABLISHMENT ON WEEKDAY EVENINGS, SATURDAYS, SUNDAYS AND POSSIBLY HOLIDAYS. SUCH ALTERNATE USE OF THE FIRST FLOOR SHALL NOT PERMITTED ON MORE THAN FOUR (4) DAYS OF ANY CALENDAR WEEK AND SHALL NOT COMMENCE BEFORE 6:30 PM MONDAY THROUGH FRIDAY, EXCEPT HOLIDAYS. PETITIONER SHALL KEEP RECORDS OF SUCH ALTERNATE USE AND PERMIT ACCESS OF SAME BY ZONING OFFICE PERSONNEL UPON REQUEST TO INQUIRE COMPLIANCE WITH THIS ORDER.
- USE OF THE FIRST FLOOR AS A RENTAL OR CATERING ESTABLISHMENT SHALL BE LIMITED TO 175 PERSONS, OR AS SET FORTH PURSUANT TO THE BALTIMORE COUNTY FIRE DEPARTMENT RESTRICTIONS, WHICHEVER IS LESS.
- THE FIRST FLOOR OF THE SUBJECT BUILDING SHALL NOT BE USED AS A RESTAURANT.
- PRIOR TO THE ISSUANCE OF ANY PERMITS, AND/OR WITHIN NINETY (90) DAYS OF THE DATE OF THIS ORDER, WHICHEVER OCCURS FIRST PETITIONER SHALL SUBMIT A LANDSCAPING PLAN FOR APPROVAL BY THE DIRECTOR AND/OR DEPUTY DIRECTOR OF PLANNING. A COPY OF THE APPROVED PLAN SHALL BE SUBMITTED TO THE ZONING COMMISSIONERS OFFICE FOR INCLUSION IN THE CASE FILE PRIOR TO THE ISSUANCE OF ANY PERMITS.

- IN THE EVENT THE PETITIONER AND/OR ANY FUTURE PROPERTY OWNER EVER PROPOSES TO CHANGE THE USE OF THE FIRST FLOOR, AS SET FORTH HEREIN, A PUBLIC HEARING SHALL BE HELD TO DETERMINE THE APPROPRIATENESS OF SUCH CHANGE.
- COMPLIANCE WITH ALL ZONING PLANS ADVISORY COMMITTEE COMMENTS SUBMITTED AND MADE A PART OF THE RECORD, INCLUDING, BUT NOT LIMITED TO, THE DEPARTMENT OF PERMITS AND LICENSES COMMENTS DATED SEPTEMBER 11, 1990, AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT, BUREAU OF WATER QUALITY COMMENTS DATED AUGUST 22, 1990.
- UPON REQUEST AND REASONABLE NOTICE, PETITIONERS SHALL PERMIT A REPRESENTATIVE OF THE ZONING ENFORCEMENT DIVISION TO MAKE AN INSPECTION OF THE SUBJECT PROPERTY TO ENSURE COMPLIANCE WITH THIS ORDER.
- ANY RESTRICTIONS CONTAINED HEREIN MAY BE MODIFIED AS A RESULT OF A PUBLIC HEARING.
- WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

## 13. PARKING: PROVIDED 72 SPACES - 2 HC = 70 SPACES PROVIDED

FLOOR	USE	SF	PRG. REQ'D
BASEMT	KITCHEN	800	20/1000 = 16
1	OFFICE	1000	3.3/1000 = 15
2	DAYCARE	3500	1/TEACHER = 10
3	OFFICE	7998	3.3/1000 = 27
			159

## B. PARKING SPACE REQUIREMENTS PURSUANT TO 90-10-1000.400 H.

	WEEKDAY	WEEKEND	WEEKEND	WEEKEND
	DAYTIME 8am-6pm	EVENING 6pm-12am	DAYTIME 8am-6pm	EVENING 6pm-12am
OFFICE	57(100%)	6(10%)	6(10%)	6(10%)
DAYCARE	14	0	0	0
RESTAURANT	43(50%)	18(100%)	18(100%)	18(100%)
TOTAL	114	24	24	24
VARIANCE GRANTED	(44)	(22)	(22)	(19)

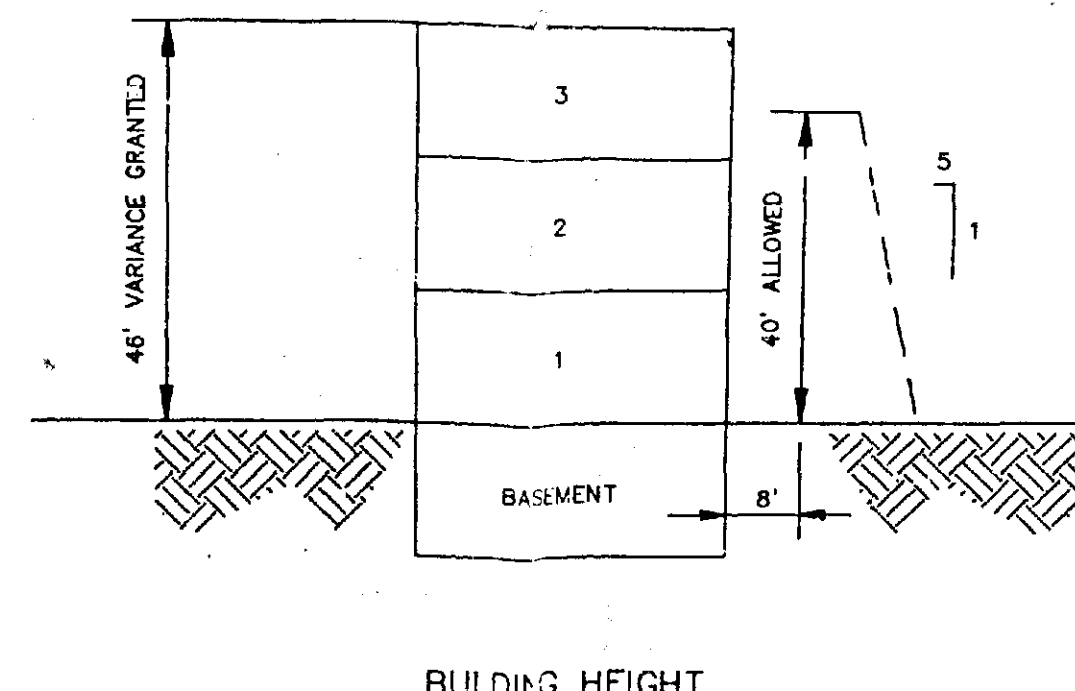
\* BANQUET 3,500 SF @ 20 PS/1000 SF = 70  
KITCHEN 800 SF @ 20 PS/1000 SF = 16  
4,300

\* BANQUET AND KITCHEN ONLY TO BE USED ON FRIDAY EVENINGS, SATURDAY, SUNDAY AND HOLIDAYS.

94-463-SPH

PROPERTY BOUNDARY INFO OBTAINED FROM SITE PLAN DATED DEC. 1, 1990.

CARROLL ENGINEERING, INC.  
61 PADONIA RD. E. TIMONIUM, MD 21083 (410) 252-6211



BUILDING HEIGHT



INTER-OFFICE CORRESPONDENCE

DATE: June 2, 1994

nittee

456

g in

LM

2AC.428/PZONE/ZAC1



5-25-94

Re: Baltimore County  
Item No.: +446 (JRA)

item and we have no objection to  
and is not effected by any State Highway

50 if you have any questions.

ow this item.

Per

---

**PETITIONER(S) SIGN-IN SHEET**

ADDRESS  
120 Sister Pierre Dr  
Towson, Md 21204

BEFORE THE  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY  
CASE NO.: 94-463-SPH X

## EE

any hearing dates or other  
of any preliminary or

Max Zimmerman  
K ZIMMERMAN  
Council for Baltimore County

## CE

to M.H. Zamani, M.D. and  
Cockeysville, MD 21030

Max Zimmerman  
ZIMMERMAN

66-194  
4

3045-94  
GS

al exception is being sought for  
medical laboratory in the

first floor and uses the rear yard used for banquets or other space so that you can weigh the

that you that you thorough study

RECEIVED  
JUN 28 1994  
ADM

# CARROLL ENGINEERING, INC.

SUITE C • 61 PADONIA ROAD, EAST • TIMONIUM, MARYLAND 21083 • (410) 262-6211

## ZONING DESCRIPTION

Beginning at a point on the North side of Old Padonia Road which is 50 feet wide at the distance of 45 feet West of the centerline of Broad Avenue. Thence the following courses and distances:

N. 83° 59' 50" W. 225.00ft. N. 06° 07' 34" E. 190.28ft. S. 83° 59' 40" E. 225.00ft. and S. 06° 07' 34" W. 190.27ft. to the point of beginning as recorded in Deed Liber 8304, Folio 520; Liber 8304, Folio 548; Liber 8304, Folio 551 containing 0.98 Acres. Also known as 108,110, and 114 Old Padonia Road located in the 8th election district.

Boundary and property information obtained from Dec. 1, 1990 Site Plan.

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 114 Date of Posting: 5/17/94  
Posted for: Special Hearing  
Petitioner: M.H. Zamani and Shabla Moshini  
Location of property: 111 West Chesapeake Avenue, Towson, Maryland 21204  
Location of Signs: 111 West Chesapeake Avenue, Towson, Maryland 21204  
Remarks: Special Hearing to approve an amendment to previous case #91-98-A to allow a medical laboratory.  
Posted by: [Signature] Date of return: 5/17/94  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., June 3, 1994  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 2, 1994.

THE JEFFERSONIAN,

A. Henickson  
LEGAL AD. - TOWSON

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case #94-463-SPHX (Item 446)  
110 Old Padonia Road  
N/S Old Padonia Road, 45 feet W of c/l Broad Avenue  
8th Election District - 3rd Councilmanic  
Legal Owner(s): M.H. Zamani and Shabla Moshini  
Hearing: Monday, June 27, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse

Special Hearing to approve an amendment to previous case #91-98-A to allow a medical laboratory. Special Exception for medical office/laboratory.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County  
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.  
(2) For information concerning the file and/or hearing, please call 887-3351.  
6000 June 2

Baltimore County Government  
Office of Zoning Administration and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-463-SPHX (Item 446)  
110 Old Padonia Road  
N/S Old Padonia Road, 45 feet W of c/l Broad Avenue  
8th Election District - 3rd Councilmanic  
Legal Owner(s): M.H. Zamani and Shabla Moshini  
HEARING: MONDAY, JUNE 27, 1994 at 11: a.m., Rm. 118, Old Courthouse

Special Hearing to approve an amendment to previous case #91-98-A to allow a medical laboratory. Special Exception for medical office/laboratory.

Carl Jahn  
Arnold Jahn  
Director

cc: M. H. Zamani and Shabla Moshini

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

TO: PUBLISHER PUBLISHING COMPANY  
June 2, 1994 Issue - Jeffersonian

Please forward billing to:

M. H. Zamani  
10633 Pot Spring Road  
Cockeysville, Maryland 21030

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

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Special Hearing to approve an amendment to previous case #91-98-A to allow a medical laboratory. Special Exception for medical office/laboratory.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3351.

Baltimore County Government  
Office of Zoning Administration and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 17, 1994

Mr. & Mrs. M. H. Zamani  
10633 Pot Spring Road  
Cockeysville, MD 21030

RE: Case No. 94-463-SPHX, Item No. 446  
Petition for Special Hearing and Exception  
Petitioner: M. H. Zamani, et ux

Dear Mr. & Mrs. Zamani:

The above-referenced petition and accompanying plans were accepted for filing on May 17, 1994 and a hearing was scheduled accordingly. Respectively, the Zoning Advisory Committee (ZAC) has reviewed those plans. Enclosed are copies of the comments received to date from the reviewing agency/agencies offering or requesting information on the petition. These comments are not intended to indicate the appropriateness of the zoning action requested, but rather to ensure that all parties; i.e., zoning commissioner, attorney, and/or petitioner, are aware of any issues that may have a bearing on this case. Should we receive any additional informative comments, they will be forwarded to you immediately. (Comments that are not informative are placed in the case file; you will not receive a copy.)

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby those zoning attorneys who regularly file petitions that comply with all aspects of the zoning regulations and petition(s) filing requirements can file their petition(s) with this office without the necessity of a preliminary review by zoning personnel. However, previous staff reviews and violations must be identified at that time.

Item Number: 446  
Planner: JRA  
Date Filed: 5-17-94

## PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- ☐ Descriptions, including accurate beginning point
- ☐ Actual address of property
- ☐ Zoning
- ☐ Acreage
- ☐ Plats (need 12, only 1 submitted)
- ☐ 200 scale zoning map with property outlined
- ☐ Election district
- ☐ Councilmanic district
- ☐ BCR section information and/or wording
- ☐ Hardship/practical difficulty information
- ☒ Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- ☐ Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- ☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- ☐ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- ☐ Notary Public's section is incomplete and/or incorrect and/or commission has expired
- ☒ OWNER'S PRINTED NAME, ADDRESS & PHONE NO.
- ☒ SPECIAL HEARING FORM

PET-FLAG (TXTSOPH)  
11/17/93

Mr. & Mrs. M. H. Zamani  
June 17, 1994  
Page 2

- Any attorney choosing to file without preliminary review should be fully aware of their responsibility for accuracy and completeness. Any petition(s) filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. There may be insufficient time, however, to correct the petition after the comments are made; and therefore, if the petition(s) was/were filed incorrectly, there is the possibility that another hearing would be required or that the zoning commissioner would deny the petition.
- Attorneys, engineers, and applicants who make appointments to file petitions on a regular basis and who fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time any further appointments are made. Failure to keep those appointments without 72 hours advance notice will result in the forfeiture of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Charlotte Minton at 887-3391 or the commenting agency.

Sincerely,  
W. Carl Richards, Jr.  
W. Carl Richards, Jr.  
Zoning Supervisor

MCR:cm  
Enclosures



IN RE: PETITIONS FOR SPECIAL HEARING & BEFORE THE SPECIAL EXCEPTION  
N/S Old Padonia Road, 45 ft. W of \* ZONING COMMISSIONER  
c/1 Broad Avenue \* OF BALTIMORE COUNTY  
110 Old Padonia Road  
8th Election District \* Case No. 94-463-SPHX  
3rd Councilmanic District \*  
M.H. Zamani, M.D. & Shahla Moshiri,  
M.D., his wife, Petitioners \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception and Petition for Special Hearing for the property located at 110 Old Padonia Road in Timonium. Special Exception relief is requested to permit a medical office/laboratory in a B.M. zone, pursuant to Section 233.4 of the Baltimore County Zoning Regulations (BCZR). Special Hearing relief is requested to approve an amendment to previous zoning case, No. 91-98-A for the subject property to allow a medical laboratory as requested within the Petition for Special Exception. The Petitions are filed by the property owners, M.H. Zamani, M.D., and Shala Moshiri, M.D., his wife.

Appearing at the requisite public hearing held for this case were the aforementioned property owners. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is known as 110 Old Padonia Road and is located not far from the York Road in Timonium. The subject site is approximately .98 acres in area and is zoned B.M. Presently, the site is improved with a three story office building and related parking facilities. Testimony presented was that the third floor of the office building is occupied by a certified public accountant. The first floor is occupied with a day care center. The second floor is vacant.

Dr. Moshiri testified that she is a pathologist and presently operates a small laboratory near St. Joseph's Hospital. She proposes relocating her office to the aforementioned site, hence, the request for the Petitions for Special Exception and Special Hearing. She further testified that she is the sole employee of her practice, but for one part time secretary. As a pathologist, she performs certain laboratory/medical tests. The test includes pap smears, analysis of body fluids, and etc. She further testified that her laboratory operation is highly regulated by the State Department of Health and that she is licensed. The State regularly inspects the facility. Moreover, she has instituted a system of waste product pick up and disposal consistent with State law.

Testimony was also presented that the expected use will not generate any traffic. No patients would be seen at the laboratory as samples would be sent to her from the offices of other physicians for testing. Moreover, the anticipated work hours and days of operation are Monday through Friday, 8:30 A.M. to 5:00 P.M.

It is clear that the B.C.Z.R. permits the use proposed in a B.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioners.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular

location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 291 Md. 1, 432 A2d 1319 (1981).

The proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of August, 1994 that, pursuant to the Petition for Special Exception, approval to permit a medical office/laboratory in a B.M. zone, pursuant to Section 233.4 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a Petition for Special Hearing to approve an amendment to previous zoning case, No. 91-98-A for the subject property to allow a medical laboratory as requested within the Petition for Special Exception, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

LES:mn

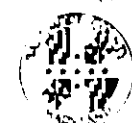
ORDER RECEIVED FOR FILING  
Date 8/3/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 8/3/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 8/3/94  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 8/3/94  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, Maryland 21204

(410) 887-4386

August 2, 1994

Shahla Moshiri, M.D.  
M.H. Zamani, M.D.  
120 Sister Pierre Drive  
Towson, Maryland 21204

RE: Petitions for Special Hearing and Special Exception  
Case No. 94-463-SPHX  
Property: 110 Old Padonia Road

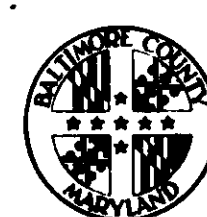
Dear Doctors:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception and Special Hearing have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mn  
att.



Petition for Special Hearing  
to the Zoning Commissioner of Baltimore County  
for the property located at 110 Old Padonia Road  
which is presently zoned B.M.

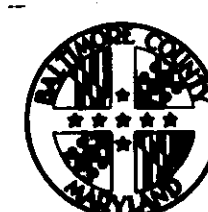
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 502.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve.

An amendment to previous zoning commissioner for Baltimore County dated 29th of November, 1990, Case #91-98-A, 108,110 & 114 Old Padonia Road 8 Election District, 3RD Councilmanic District, Padonia York Building, to Allow Medical Laboratory As Described AND limited in the Attached Application For Special Exception. AND For Reasons To be Addressed At time of Hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:  
(Type or Print Name) M.H. ZAMANI  
(Type or Print Name) M.H. Zamani, M.D.  
(Signature) SHAHLA MOSHIRI  
(Type or Print Name) SHAHLA MOSHIRI  
(Signature) [Signature]  
Address 10633 POT SPRING RD. 21276  
City Cockeysville, MD 21030  
Phone No. 444-7766  
City, State, and phone number of representative to be contacted.  
Name  
Address  
Phone No.  
City, State, and phone number of representative to be contacted.

DETERMINED LENGTH OF HEARING: 30 minutes  
DETERMINED LENGTH OF HEARING: 30 minutes  
ALL: [Signature]  
DATE: 5-17-94  
446.



Petition for Special Exception  
to the Zoning Commissioner of Baltimore County  
for the property located at 110 Old Padonia Rd  
which is presently zoned B.M.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

MEDICAL OFFICE / LABORATORY  
SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:  
(Type or Print Name) M.H. ZAMANI  
(Type or Print Name) M.H. Zamani, M.D.  
(Signature) SHAHLA MOSHIRI  
(Type or Print Name) SHAHLA MOSHIRI  
(Signature) [Signature]  
Address 10633 Pot Spring Rd.  
City Cockeysville, MD 21030  
Phone No. 444-7766  
City, State, and phone number of representative to be contacted.  
Name  
Address  
Phone No.  
City, State, and phone number of representative to be contacted.

DETERMINED LENGTH OF HEARING: 30 minutes  
DETERMINED LENGTH OF HEARING: 30 minutes  
ALL: [Signature]  
DATE: 5-17-94  
446.

Shahla Moshiri, MD  
Cytology & Pathology Lab  
The Professional Center  
120 Sister Pierre Dr., Suite 503  
Towson, MD 21204  
Tel: 339-7767

Diplomate of American Board  
Of Anatomic and Clinical Pathology  
And Cytopathology

94-463-SPHX

May 18, 1994

Zoning Commissioner for Baltimore County  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Dear Mr. Commissioner:

This is to advise that a special exception and various petitions were filed with your office on May 17, 1994 concerning the above captioned matter to amend previous variance granted on the 29th day of November, 1990. Item #2: "No medical office shall be permitted including but not limited to dental, chiropractor, physiotherapy". I am Shahla Moshiri, specialized in pathology, and am not seeing any patients. I wish to use my own property, which is vacant at the present time, for a medical office lab for blood tests not seeing any patients, my practice at this location will not cause any congestion in the road as well as the parking lot. I wish to have a hearing as soon as possible in this matter. I respectfully request that his matter be set for hearing as soon as your schedule would permit.

Thank you very much for your cooperation. Best regards.

Sincerely,  
Shahla Moshiri, MD.  
Shahla Moshiri, M.D.

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